

REMARKS

Claims 44-47, 49, 51-53 and 63-71 are pending in the application. Claims 1-43, 48, 50 and 54-62 were previously canceled. Claims 65-71 were previously added.

Claims 44-47, 51-53 and 63-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,825,360 to Odam et al, hereinafter "Odam", in view of U.S. Patent No. 5,907,836 to Sumita et al, hereinafter "Sumita". Claims 44, 63 And 71 are independent. Applicants respectfully traverse this rejection.

Independent claim 44 provides a method for automatic control of window overlap, including automatically determining priorities of each window of a plurality of overlapping windows displayed on a graphical user interface, and automatically arranging the plurality of windows to overlap one another in order of the priority on the graphical user interface. The window priority is derived from a topic of each window of the plurality of windows.

Odam discloses a method for arranging windows in a workspace including assigning a priority to each of a plurality of windows in the workspace according to a predefined criteria (col. 3, lines 24-28). In one embodiment, each window is assigned a priority number, initially assigned according to some predetermined criteria, such as the relative time of each window's creation, a user's preference, and the relative importance of each window (col. 7, lines 4-12). In one example, the priority number of each window may be assigned based on a time that each window is created, or based on a preference set by a user (col. 13, lines 47-57).

Odam discloses a method including setting a priority of a window based on an assigned number, according to criteria including a time of each window's creation, a user's preference, or the relative importance of each window. As admitted on page 3 of the Office Action, Odam does not disclose setting a priority of a window based on a topic of each window, as recited in claim 44.

Sumita discloses an information filtering apparatus and method that presents the relativity among articles to present the articles to a user so to enable the user to easily recognize the relativity among the articles (col. 2, lines 35-39). The information filtering apparatus and the method therefor according to Sumita enable articles having similar contents to be formed into groups or made to be related to one another before the articles are presented to a user, allowing the labor required for the user to read the text articles to be reduced considerably (col. 2, lines 51-56).

An information filtering center 1-1 stores a kind of retrieval conditions, called a user profile 10, for each user to retrieve articles to be supplied to a subject user in accordance with the user profile 10 (col. 15, lines 23-26). The user profile 10 consists of a plurality of topics specified by the user so that an article meeting the topic is retrieved and selected so as to be supplied to the user (col. 15, lines 26-29).

In one embodiment, a summary or abstract generating portion 36 generates a summary or an abstract having a length corresponding to the satisfied topic while making a reference to information about the satisfied topic (col. 39, lines 35-47). The "summary" is a text of a type generated to plainly express the subject of the article and formed from the original, while the "abstract" is an extraction of a portion of the original article, such as an important text (col. 39, lines 48-51).

The length of the summary or the abstract is a compression ratio with respect to the original, the number of sentences, the number of paragraphs, the number of characters or a percentage with respect to the overall body of the text to be presented (col. 39, lines 52-56). As shown in FIG. 71, articles such as articles 1 and 2, having a topic that has the highest priority among the topics selected by the user, are presented with a relatively long summary or an abstract (col. 40, lines 40-45). Articles satisfying lower priority topics are presented with a relatively short summary or abstract (col. 40, lines 45-48). Because articles are compressed with a compression ratio relative to each

article's length, the actual length of each abstract or summary may not correspond to the topic priority (col. 40, lines 52-60).

Thus, Sumita discloses an apparatus and method that presents numerous articles satisfying a user's retrieval conditions. The articles are presented with the retrieval condition information, such as a topic of the article. The topics may be assigned different priorities. Articles having a higher priority are presented with abstracts that are compressed to a smaller degree than articles having lower priority topics.

However, Applicants submit that Sumita does not make up for the deficiencies of Odam, as they apply to claim 44. As shown in FIG. 71, Sumita discloses that summaries and abstracts relating to each article are presented in a list format. Sumita does not disclose or suggest arranging the summaries and abstracts for each article in separate windows, and also does not suggest that such summaries would benefit from being displayed in separate windows. Therefore, neither Sumita nor Odam disclose or suggest "automatically determining priorities of each window of a plurality of overlapping windows displayed on a graphical user interface, wherein said window priority is derived from a topic of each window of said plurality of windows," as recited in claim 44.

Also, there is no motivation to combine the teachings of Odam and Sumita. Sumita discloses altering the amount of detail of a presented article summary based on a priority of a topic of the article. Sumita is not concerned with, and makes no suggestion of the desirability of, displaying higher priority article summaries and abstracts more prominently or positioning such summaries and abstracts to have maximum visibility to a user. Whereas Odam is concerned with positioning high priority windows in the foreground of a workspace, Sumita is merely concerned with changing a level of detail of an article listing based on a topic priority. Thus, there is no suggestion in either Odam or Sumita to combine their teachings as suggested by the Office Action.

Furthermore, as discussed above, Sumita recognizes that articles having lower priority topics may have longer summaries, even when compressed according to Sumita. Therefore, articles having lower priorities may potentially take up more space and be thus more prominently displayed in the list than those articles having higher priority topics. This result would be contrary to the goal of Odam, which is concerned with presenting high priority windows in the visual foreground of a workspace, so that the highest priority windows are more easily discernable. Thus, there is no motivation to combine the teachings of Odam and Sumita.

Odam and Sumita, whether considered alone or in combination, fail to disclose the elements of claim 44. Also, there is no motivation to combine the teachings of Odam and Sumita. Therefore, claim 44 is patentable over the cited combination of Odam and Sumita.

Claims 45-47, 49 and 51-53 depend from claim 44. Claim 71 includes recitals similar to Claim 44. For at least reasoning similar to that provided in support of the patentability of claim 44, claims 45-47, 49, 51-53 and 71 are also patentable over the cited combination of Odam and Sumita.

Independent claim 63 provides a method for automatic control of window overlap based on a user's history of window use, including automatically determining a priority of each window of a plurality of overlapping windows displayed on a graphical user interface, and automatically arranging the plurality of windows to overlap one another in order of the priority on the graphical user interface. The priority is derived from an amount of scrolling performed on a window.

As is required by MPEP section 2143, "to establish a *prima facie* case of obviousness . . . the prior art reference (or references when combined) must teach or suggest all the claim limitations."

The Office Action admits on page 4 that neither Odam nor Sumita teach the

feature of deriving priority from an amount of scrolling performed on a window. Furthermore, neither Odam nor Sumita suggest that scrolling performed on a window could be used as a measure of priority or as a measure of the amount of use of a window. Therefore, the Office Action has not cited any prior art that discloses or suggests "automatically arranging said plurality of windows to overlap one another in order of said priority on said graphical user interface," as recited in claim 63. Thus, claim 63 is patentable over the cited combination of Odam and Sumita.

Claims 64-70 depend from claim 44. For at least reasoning similar to that provided in support of the patentability of claim 44, claims 64-70 are also patentable over the cited combination of Odam and Sumita.

For the reasons set forth above, the rejection of claims 63-70 as unpatentable over Matsumoto in view of Odam is overcome. Applicants respectfully request that the rejection of claims 63-70 be reconsidered and withdrawn.

Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odam in view of Sumita, and further in view of U.S. Patent No. 4,559,533 to Bass et al., hereinafter "Bass". Claim 49 depends from independent claim 44. Applicants respectfully traverse this rejection.

As described above, claim 44 is patentable over the cited combination of Odam and Sumita. Applicants do not believe that Bass makes up for the deficiencies of Odam and Sumita, as they apply to claim 44. Thus, claim 44 is patentable over the cited combination of Odam, Sumita and Bass.

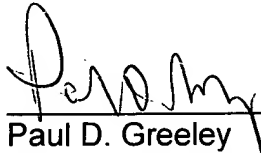
Claim 49 depends from claim 44. For at least reasoning similar to that provided in support of the patentability of claim 44, claim 49 is also patentable over the cited combination of Matsumoto and Bass.

For the reasons set forth above, the rejection of claim 49 as unpatentable over Matsumoto in view of Bass is overcome. Applicants respectfully request that the rejection of claim 49 be reconsidered and withdrawn.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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